

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re	:	Chapter 7
	:	
MONICA LAVADE WILLIAMS	:	
<i>aka</i> MONICA LAVADE BOYD and	:	Bankruptcy No. 07-13013DWS
CORDELL AGUE WILLIAMS ,	:	
	:	
Debtors.	:	

ORDER

AND NOW, this 29th day of May 2007, Debtors having filed a voluntary petition in bankruptcy under chapter 7 on May 24, 2007;

And Debtors having failed to file a certificate evidencing prepetition credit counseling, which is an eligibility requirement for bankruptcy relief pursuant to 11 U.S.C. § 109(h)(1) (“an individual may not be a debtor . . . unless such individual has, during the 180-day period preceding the date of filing of the petition by such individual, received from an approved nonprofit budget and credit counseling agency . . . an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.”). Thus, the credit counseling requirement should be met before the individual files a voluntary bankruptcy petition;

And Debtors having indicated on Exhibit D - Statement of Compliance with

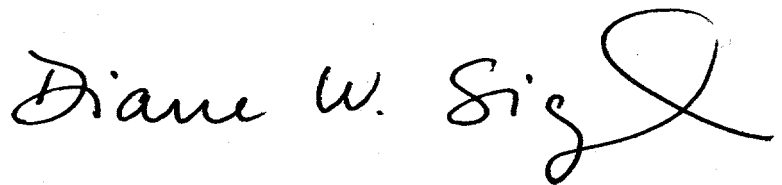
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Credit Counseling Requirement to their petition that exigent circumstances existed pursuant to 11 U.S.C. § 109(h)(3)(A) and having filed a certification in support thereof (the "Certification");

And 11 U.S.C. § 109(h)(3)(A) permitting a debtor to obtain credit counseling after his/her bankruptcy case commenced, but only in very limited circumstances, i.e., a debtor must certify: (1) that he/she sought credit counseling prior to the filing of the petition; (2) such counseling was not available within five days beginning from the date the debtor made the request; and (3) the debtor needed to file his/her petition for valid, emergency reasons and thus could not wait for such counseling to take place;

And the Certification merely asserting that Debtors were not aware of the credit counseling requirement, which is not a basis for waiver under § 109(h)(3)(A);

It is hereby **ORDERED** that Debtors' case shall be and hereby is **DISMISSED** for failure to comply with § 109(h).

A handwritten signature in black ink, reading "Diane W. Sigmund". The signature is fluid and cursive, with a large, stylized "S" at the end.

DIANE WEISS SIGMUND
Chief U.S. Bankruptcy Judge